

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

KAREN MYERS CROSS,	)	
	)	
<i>Plaintiff,</i>	)	
v.	)	
	)	CASE NO. 4:11-cv-00307
ACS STATE & LOCAL SOLUTIONS,	)	
INC.	)	JURY
	)	
<i>Defendant.</i>	)	
_____	)	

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1441 and 1446, and 15 U.S.C. 1693, Defendant, ACS State and Local Solutions, Inc. (“ACS”), hereby removes the above-captioned civil action from the County Court at Law No. 2, Denton County, State of Texas, to the United States District Court for the Eastern District of Texas, Sherman Division. The removal of this case is proper because:

1. ACS is the only defendant in the civil action filed by Plaintiff, Karen Myers Cross (“Plaintiff”), in the County Court at Law No. 2, Denton County, State of Texas, captioned as *Karen Myers Cross v. ACS State & Local Solutions, Inc.*, Case No. CV-2011-01197 (hereinafter, the “State Court Action”). Cross filed her State Court Action on April 26, 2011 and the only action that has occurred is service of process.

2. ACS removes this case on the basis of the Electronic Financial Transaction Act, Title 15 U.S.C. § 1693, *et seq.* (“EFTA”), as the Plaintiff’s Complaint seeks relief based on conduct allegedly in violation of federal law.

3. Attached hereto as **Exhibit “A”** and incorporated by reference as part of the Notice of Removal is a copy of the state court docket sheet and a true and correct copy of the

process and pleadings in the State Court Action. No further pleadings asserting causes of action have been filed and no answer has been filed

4. Pursuant to 28 U.S.C. § 1446(b), ACS has timely filed this Notice of Removal. The Plaintiff's Complaint was served on ACS on May 9, 2011. This Notice of Removal is filed within 30 days of receipt of the Complaint by ACS and is, therefore, timely filed under 28 U.S.C. § 1446(b).

5. Pursuant to Local Rule CV-81, the complete list of attorneys involved in the State Court Action are:

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ATTORNEY FOR DEFENDANT

6. A copy of this Notice of Removal is being served upon Plaintiff and filed concurrently with the Clerk of the County Court at Law No. 2, Denton County, State of Texas, 1450 E. McKinney, 2<sup>nd</sup> Floor, Denton, Texas 76209, (940) 349-2016.

7. Pursuant to Local Rule CV-81(c)(4), ACS hereby informs this Honorable Court that Plaintiff requested a trial by jury in her Original Petition.

WHEREFORE, Defendant, ACS Corporation, hereby removes to this Court the State Court Action.

Respectfully submitted,

/s/ David R. Clouston

David R. Clouston,  
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Christopher R. Richie  
Texas Bar No. 24002839  
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**ATTORNEY FOR DEFENDANT ACS STATE  
AND LOCAL SOLUTIONS, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27 day of May 2011, a copy of the foregoing was served on the following attorneys of record via facsimile and U.S. Mail, postage prepaid.

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/s/ David R. Clouston  
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